

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

MICHAEL J. LINDELL,

Plaintiff,

v.

NANCY PELOSI, *et al.*,

Defendants.

No. 22-cv-28 (ECT/TNL)

**FOURTH CONSENT MOTION TO EXTEND TIME
FOR CONGRESSIONAL DEFENDANTS TO RESPOND**

Pursuant to Local Rule 7.1, Defendants the Honorable Nancy Pelosi; the Honorable Bennie G. Thompson; the Honorable Elizabeth L. Cheney; the Honorable Adam B. Schiff; the Honorable Jamie B. Raskin; the Honorable Susan E. Lofgren; the Honorable Elaine G. Luria; the Honorable Peter R. Aguilar; the Honorable Stephanie Murphy; the Honorable Adam D. Kinzinger; and the Select Committee to Investigate the January 6th Attack on the Capitol of the United States (“Congressional Defendants”), respectfully move for a fourth extension of time to respond to Plaintiff’s Complaint.

Plaintiff Michael J. Lindell filed his Complaint (ECF No. 1) on January 5, 2022, and Amended Complaint on January 13, 2022 (ECF No. 9). Pursuant to Federal Rule of Civil Procedure 12(a)(3), the response to Plaintiff’s Complaint was originally due on May 23, 2022, 60 days after service of the summons and original complaint on the U.S. Attorney. *See* ECF No. 16; *see also* Fed. R. Civ. P. 12(a)(3). On May 18, 2022, Congressional Defendants sought a 45-day extension of the deadline to respond to the Complaint (ECF No. 19), which was granted by the Court. *See* Order, May 20, 2022 (ECF No. 20) (setting new date for responsive pleading of

July 7, 2022). On June 27, 2022, Congressional Defendants sought a 30-day extension of the deadline to respond (ECF No. 23), which was granted by the Court. *See* Order, June 27, 2022 (ECF No. 24) (setting new date for responsive pleading of August 8, 2022). On August 4, 2022, Congressional Defendants sought a 30-day Congressional Defendants of the deadline to respond (ECF No. 27), which was granted by the Court. *See* Order, Aug. 8, 2022 (ECF No. 28) (setting new date for responsive pleading of September 8, 2022). Congressional Defendants now seek an additional 14-day extension, until September 22, 2022.

The Congressional Defendants require additional time to evaluate and consider their strategic approach in light of the Select Committee's continued investigation. There are no existing deadlines that will be affected by the granting of this motion.

LOCAL RULE 7.1(a)(1)(A) CERTIFICATION

Pursuant to Local Rule 7.1(a)(1)(A), counsel for the Congressional Defendants conferred with Plaintiff's counsel via email about the proposed extension of time, and Plaintiff consents to a 14-day extension (Verizon Wireless Co. took no position).

Respectfully submitted,

/s/ Douglas N. Letter

Douglas N. Letter (D.C. Bar No. 253492)

General Counsel

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September 2, 2022

Counsel for Congressional Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2022, I caused the foregoing document to be filed via the CM/ECF system for the U.S. District Court for the District of Minnesota, which I understand caused a copy to be served on all registered parties.

/s/ Douglas N. Letter
Douglas N. Letter